

TENNESSEE REGULATORY AUTHORITY

04/19/02
10:13 AM

Sara Kyle, Chairman
Lynn Greer, Director
Melvin Malone, Director



460 James Robertson Parkway
Nashville, Tennessee 37243-0505

April 19, 2002

Mr. Pat Crocker
Early, Lennon, Crocker & Bartosiewicz, PLC
900 Comerica Building
Kalamazoo, Michigan 49007-4752

RE: NUI Telecom, Inc. (Docket No. 02-00413)

Dear Mr. Crocker:

The Tennessee Regulatory Authority is writing in regards to NUI Telecom, Inc.'s (hereafter "NUI" or "Applicant") recently submitted application to provide competing local telecommunications services within the State of Tennessee.

The Authority respectfully requests that the following information for the review of NUI's requested CCN be provided as pursuant to TCA §65-4-201:

Technical Requirements:

Please provide the following financial information:

1. Specify any additional engineering qualifications such as a retained engineering firm, electrical engineer staff, etc. that were not included in the application, which will provide any additional technical support information for NUI's application.
2. State if there are any special CPE (Customer Premise Equipment) requirements that would not be compatible with an incumbent carrier.
3. Repair and Maintenance Information:
 - a) Phone number for repair and maintenance (customer service).
 - b) Address for written communication of repair and maintenance.
 - c) Name and address of Tennessee contact person responsible for and knowledgeable about the provider's operations.

Financial Requirements:

Please provide the following financial information:

1. Current 12/31/01 (audited, if possible) financial statements, which include the balance sheet, income statement, and statement of cash flows.
2. Three year projected financial statements, which include the balance sheet, income statement, and statement of cash flows.
3. Sources of funding for its operations, equipment, etc.

4. TCA §65-4-125 amendment states that by September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public telephone service who pay annual inspection and supervision fees pursuant to Tennessee Code Annotated, §65-4-301(b), or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than \$5 million, shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, by or on behalf of the Authority. Please provide a corporate surety bond or irrevocable letter of credit pursuant to the above statute.

TRA Rules for Local Telecommunications Providers:

Applicant should serve notice of its application on the eighteen-(18) incumbent local exchange telephone companies in Tennessee with a statement regarding the Company's intention of operating geographically. The TRA requires a written certificate of service from the applicant. The Authority only received a partial list of all eighteen ILECs served in Tennessee.

Toll Dialing Parity Plan for Applicants providing Voice Grade Service:

Since the applicant intends to provide voice grade service, the applicant must file an appropriate toll dialing parity plan for TRA consideration. The Plan should include the following:

1. Include the proposed implementation date;
2. Include a list of exchanges in which IntraLATA Toll Dialing Parity will be provided;
3. Include a method to be utilized to enable new and existing customers to select alternate providers of telephone toll service;
4. Accomplished IntraLATA Toll Dialing Parity by a means other than automatically assigning toll customers to itself or any other carrier;
5. State the PIC method to be utilized (2-PIC, Multi-PIC, etc.-2 PIC minimum);
6. Include customer education procedures;
7. Identify the LATA that the applicant is proposed to associate;
8. State whether a PIC change charge waiver period is proposed and for how long;
9. Include anti-slamming procedures;
10. Include statements concerning nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listings.
11. Include a statement that the carrier will comply with all rules of the FCC and the TRA.

Numbering Issues:

Please provide answers to the following questions concerning numbering within your proposed service area:

1. What is your company's expected demand for NXXs per NPA within a year of approval of your application?

2. How many NXXs do you estimate that you will request from NANPA when you establish your service footprint?
3. When and in what NPA do you expect to establish your service footprint?
4. Will the company sequentially assign telephone numbers within NXXs?
5. What measures does the company intend to take to conserve Tennessee numbering resources?
6. When ordering new NXXs for growth, what percentage fill of an existing NXX does the company use to determine when a request for a new NXX will be initiated?

Miscellaneous:

Please provide the following miscellaneous information:

1. Due to conflicting information in the application, please clarify the CCN objective of the application, i.e. resell or facilities-based application.
2. A Wireline Activity Report should be submitted to the TRA on a monthly basis for approved applicants once service commences. This information provides the TRA with information regarding the status of local telephone competition in Tennessee.

If you have any questions or comments regarding this data request, please contact the Telecommunications Division at (615) 741-2904 (ext. 132). Please submit the requested information by May 6, 2002.

Sincerely,



David Waddell
Executive Secretary

C: Docket File